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March 2, 2023

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. Lois Bloom, U.S.M.J.
225 Cadman Plaza East
Courtroom 13C South
Brooklyn, NY 11201-1804

**Re: Stidhum v. 161-10 Hillside Auto Ave, LLC, *et al.*
Case No.: 1:21-cv-7163 (HG) (RLM)
MLLG File No.: 94-2019**

Dear Judge Mann:

This office represents the Defendants in the above-referenced matter.

Despite Plaintiff's insistence on all depositions in this case being Court-ordered, and the Court ordering all depositions in this case, Plaintiff has now stated her refusal to comply with the Court's Order issued earlier today directing Plaintiff to depose Jory Baron on March 3, 2023. However, the old adage "you live by the sword, you die by the sword," should apply here. Subsequent to the Court directing Plaintiff to depose Jory Baron earlier today, Plaintiff filed a letter stating she will not proceed with the deposition of Jory Baron tomorrow. [ECF Doc. No. 54]. This is contrary to Plaintiff's pursuit of Court ordered depositions. I spent the day preparing Jory Baron for his deposition and Plaintiff has presented no legitimate reason why it should not proceed. Indeed, as the lack of a court reporter was the only stated reason for not deposing Mr. Baron tomorrow, I told Ms. Troy that, to the extent she is unable to reschedule her cancelled court reporter, I have a court reporter company that can provide a court reporter tomorrow.

Defendants respectfully request the issuance of an order directing Plaintiff that if she fails to depose Jory Baron on March 3, 2023, in violation of this Court's Order, she will have waived the right to depose Jory Baron.

Defendants thank this honorable Court for its time and attention to this case.

Dated: Lake Success, New York
March 2, 2023

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

/s/ Emanuel Kataev, Esq.

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